

# HOLISTIC DEFENSE

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## Client-Centered Representation

Rather than requiring the client to conform to the lawyer's notion of how s/he should make life-impacting decisions, client-centered representation demands that the lawyer invest the time and energy to understand the client and the circumstances that brought him or her to the criminal justice system, that s/he respect the choices the client makes about the representation, and that s/he advocate consistent with the client's state desires.

# VALUE OF HOLISTIC DEFENSE

*Ultimately your job is to get the best result for your client*

How can the practice of holistic defense aid in that process?

- Build deeper client relationship
- Something to present on those “no mitigation cases”
- Shifting the conversation from why did this happen to how do we make this not happen again
- Better outcomes in cases
- Help your client have a better life

Prepared and researched mitigation is expected in death penalty cases - why not on all of our cases?

# UNDERSTANDING PRIMARY NEEDS

*People who are unstable are more likely to come into contact with the wrong side of the justice system.*

- Housing
- Treatment
  - Mental Health
  - Substance Abuse
  - Behavioral
- Employment
- Benefits
- Health Services
- Citizenship Status



# HOUSING

Shelter or Emergency

Transitional

\*Might overlap with treatment facility

Community Care Homes

Boarding Homes

Income-Based Apartments and Section 8



# TREATMENT

- Mental Health
  - DMH
  - DDSN
- Substance Use
- Anger Management



# EMPLOYMENT

- Vocational Rehab
- SC Works
- Day Labor
- Job Corps



# BENEFITS

- Medicaid/Medicare
- Social Security/Disability
- SNAP
- Cell phone
- Higher Education/Student loans





# HEALTH SERVICES

- Free Clinics
- Vision/dental
- STI testing/treatment
- AIDS/HIV



# FAMILY COURT

- Entitled to representation for abuse, neglect, and custody cases

## Resources:

- Self Representation
- Fatherhood Coalition
  - Child support
  - Custody
  - Videos and forms online

# CHATTING ABOUT DIFFICULT TOPICS

- There are different ways to ask the same question
- Questions don't always have to have an obvious purpose:
  - What is your favorite food
  - What are your hobbies
  - What is something you think I should know about you
- Pros and Cons of Intake Forms

# JOINING THE TEAM

Look for partners EVERYWHERE

- South Carolina 211
- Find Your Continuum of Care
- United Way Access
- Vocational Rehabilitation
- Local DMH Branch
- Department of Social Services
- Alston-Wilkes Society
- Catholic Charities
- Local Housing Authority
- Free Clinic Association
- SC HIV/AIDS Council
- SC Department of Alcohol and Other Drug Abuse Services

# THINGS EVERYONE SHOULD BE DOING

- Get everyone to sign a HIPAA ROI
- Special needs → always get IEPs
- Check to see if there is an active probate order
- Call United Way to get HMIS information